

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:06-CR-285-4-F

UNITED STATES OF AMERICA,)
)
 v.)
)
 ARTHUR SHABAZZ SANDERS, JR.,)
 Defendant.)

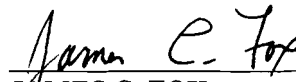
ORDER

The Federal Public Defender is DIRECTED to appoint counsel to represent defendant Arthur Shabazz Sanders, Jr., upon remand from the Fourth Circuit Court of Appeals for reconsideration in light of its recent opinion in *United States v. Simmons*, 649 F.3d 237 (4th Cir. 2011). Counsel for the Government and for Sanders are DIRECTED to file such motions and/or memoranda as they deem appropriate on or before **January 23, 2012**.

The United States Probation Office is DIRECTED to review Sanders' Presentence Report, its advisory guidelines calculation and recommendation, and to make such amendments, if any, in the Report as may be appropriate in light of *Simmons*. The parties may file any objections thereto as they deem suitable in accordance with the Local Rules of this court.

The Clerk of Court is DIRECTED to place this matter on the court's **February 27, 2012**, term of court in Wilmington, North Carolina, to address such modifications, if any, as may be necessitated by application of the *Simmons* ruling. The court will schedule the hearing at an earlier date if both parties so request.

SO ORDERED. This the 21st day of December, 2011.



JAMES C. FOX
Senior United States District Judge